

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TYRONE BARNES	:	CIVIL ACTION
	:	
v.	:	
	:	
ALLSTATE PROPERTY AND	:	
CASUALTY INSURANCE CO.	:	NO. 12-3418

ORDER

AND NOW, this 15th day of February, 2013, upon consideration of the plaintiff's motion to dismiss the defendant's counterclaim (Docket No. 11), and the defendant's brief in opposition to that motion, IT IS HEREBY ORDERED, for the reasons stated in a memorandum bearing today's date, that the motion is GRANTED IN PART and DENIED IN PART. IT IS FURTHER ORDERED that:

1. The defendant's counterclaim is DISMISSED without prejudice. The defendant may file an amended counterclaim within twenty-one (21) days of the date of this Order.

2. When the defendant amends its counterclaim, it need only allege a single instance of civil insurance fraud to seek compensatory damages.

BY THE COURT:

/s/ Mary A. McLaughlin
MARY A. McLAUGHLIN, J.